

Task Code 092, 094 – PLANNING COMMISSION AND ZONING ADMINISTRATOR HEARING PREPARATION/ATTENDANCE PROCEDURES

PURPOSE

To ensure that the public and appropriate hearing body have the opportunity to hear and comment about the land use proposal. A public record is also created.

OUTLINE OF PRIMARY STEPS

Task 092 – Hearing Preparation PC-ZA

Completed by Project Manager

Section I – Hearing Preparation

- Set Hearing Date, after receiving authorization from Chiefs/Director at the Tuesday Briefing.
- Consider the following in setting the Hearing date: Allow ample time to complete all of the required hearing preparation tasks, is county counsel review required? If so, coordinate with the assigned counsel to determine appropriate hearing date. The following must always be reviewed by counsel: any project that will go to the Board of Supervisors for final decision, items that will likely be appealed to the BOS, all rezone ordinances, and any project that has high likelihood of litigation.
- Check availability of the applicant and of County staff.
- Docket project for hearing
- Call the Community Planning/Sponsor Group to notify them of hearing date
- Request Graphics package from GIS
- Prepare Legal Advertisement/Public Notice Package. This package includes a notice in the newspaper (for PC) announcing the date and time of the public hearing and a mailing of hearing notices (ZA and PC) to surrounding property owners and relevant agencies and planning and/or sponsor groups.
- Provide Project Planning Secretary any additional addresses and Agency Distribution List for distribution
- Obtain final approval of public notice package from your Planning Manager

Section II – Resolution/Decision Writing, Staff Reports, Power Point Presentations

- Complete the Staff Report And Complete the Decision/Resolution
- Submit Draft Hearing Package to your Planning Manager for review. After review, incorporate revisions.
- PC Only – Obtain concurrence from other departments, such as DPW, DEH and DPR.
- Fourteen days prior to hearing, submit the Hearing Package to the Chief for review. Also, submit the abbreviated project description for the PC Agenda and the draft Staff Report to the Project Planning Secretary.
- Nine days prior to hearing, provide the final Staff report to Project Planning Secretary for copying and distribution
- Ten days prior to hearing, provide the draft PowerPoint presentation and hearing script to the Planning Manager for review.
- For PC - coordinate with your planning manager to do a practice run of the presentation prior to the Tuesday Director/County counsel Briefing.
- At the Director Briefing, come to the briefing prepared to give the presentation. Incorporate any comments/revisions from the Director.

Task 094 – Hearing Attendance PC-ZA

Coordination

- Attend the Hearing rehearsal. PC rehearsals are mandatory, ZA optional depending on

complexity/controversy. Based on the rehearsal, make modifications to the PowerPoint presentation as needed and follow up with Planning Manager

- Two days before the hearing, contact the applicant to discuss the hearing. Identify the item #, discuss if the item can be taken as a consent item. Provide information about any calls in support or opposition to the project.
- Two days to 24 hours before the hearing, send a reminder to all staff that are scheduled and need to attend the hearing. Notify other Departments of any issues they should be prepared to discuss.
- Day of hearing – Project Manager must arrive early and set up the PowerPoint presentation (if applicable)
- At the Hearing - Take notes of the comments that speakers make
- During the decision, note the motion, maker and second, and vote.
- Following the hearing: If the project that was just presented to the Planning Commission is required to go to the Board for a final decision, forward your Planning Commission report, including back-up material, to the appropriate County Counsel. This also applies to items that get appealed.
- If an item is continued, follow the Continued Item Procedures. At the hearing you will need to consider how long the continuance should be for.

Finalizing NOD/NOE and Decision Documents

- File NODs & NOEs - File the NOD or NOE immediately after a decision is made, including the applicable Fish and Game Fees and County Clerk fees. This starts the statute of limitations for appeals and must be completed within 5 business days of the decision to approve the project. The section secretary will mark the distribution date on the bottom of the NOD/NOE and distribute copies to the following: the County Clerk, the State Clearinghouse (All Nods go to Clearinghouse. Only One's for farm worker housing, low-income housing, and urban infill housing must be sent to the Clearinghouse), Project Applicant, Project File, any individual that specifically requests all CEQA notices.
- Mail the Maps/Plans and the Decision Documents stamped with a "Subject to 10 Day Appeal" statement. The 10 day appeal period applies to maps and permits. The documents will inform the interested parties of the decision made at the hearing and the appeal period.